

REMARKS

I. Introduction

Claims 21 to 36 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

Applicant notes with appreciation the acknowledgment of the claim for foreign priority and the acknowledgment that all certified copies of the priority documents have been received.

II. Objection to Claims 34 and 35

Claims 34 and 35 were objected to for informalities.

Regarding claim 34, the phrase "as output variables actual values" was objected to as containing a grammatical error. As an initial matter, it appears that the objection to claim 34 should instead be an objection to claim 33, in which the above-quoted phrase appears. While the objection may not be agreed with, to facilitate matters, claim 33 has been amended herein without prejudice, thereby obviating the present objection.

Regarding claim 35, the phrase "an power controller" has been changed to --a power controller--.

No new matter has been added, and claims 33 and 35, as presented, are supported by the Specification. Withdrawal of this objection is therefore respectfully requested.

III. Rejection of Claims 26 to 28 Under 35 U.S.C. § 112, Second Paragraph

Claims 26 to 28 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite. It is respectfully submitted that claims 26 to 28 are definite for at least the following reasons.

Regarding claim 26, the Office Action contends that there is insufficient antecedent basis for the phrase "the offset." It is respectfully submitted that the phrase "the offset" has sufficient antecedent basis based on the phrase "configured to offset the first input variables against corresponding second input variables" within the same claim 26, thereby obviating the present rejection.

Regarding claims 27 and 28, the phrase “the controllers” was rejected as having insufficient antecedent basis. While the rejection may not be agreed with, to facilitate matters, claim 27 has been amended herein without prejudice, and claim 28 depends from claim 27, thereby obviating the present rejection.

Accordingly, it is respectfully submitted that the present claims sufficiently “set forth and circumscribe a particular subject matter with a reasonable degree of clarity and precision,” which is all that is required under 35 U.S.C. § 112, second paragraph.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

IV. Rejection of Claims 21 to 24, 27 to 29, and 32 Under 35 U.S.C. § 102(b)

Claims 21 to 24, 27 to 29, and 32 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,171,055 (“Vos et al.”). It is respectfully submitted that Vos et al. do not anticipate the present claims for at least the following reasons.

To anticipate a claim, each and every element as set forth in the claim must be found in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of Calif., 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, “[t]he identical invention must be shown in as complete detail as is contained in the . . . claim.” Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). That is, the prior art must describe the elements arranged as required by the claims. In re Bond, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990).

Claim 21 relates to a multivalve control system, including, *inter alia*, a controlled multivalve system; a plurality of controllers; a plurality of comparators; and *a conversion device, input variables of the conversion device corresponding to output variables of the controllers, the conversion device configured to calculate, at least from the output variables of the controllers, the correcting variables, the conversion device configured to superimpose, on the output variables of the controllers, an input control component that is a function of an actual value to calculate the correcting variables.* Claims 27 and 32 include features analogous to the features included in claim 21.

Vos et al. do not identically disclose, or even suggest, all of the claimed features of claims 21, 27, and 32. Specifically, Vos et al. do not even refer to a conversion device. Instead, Vos et al. merely indicate controllers 66, 68 connected directly to the engine, drivetrain, propeller, and actuators dynamics in Figure 2. Thus, Vos et al. do not disclose a conversion device having input variables corresponding to output variables of the controllers; a conversion device configured to calculate, at least from the output variables of the controllers, the correcting variables; or a conversion device configured to superimpose, on the output variables of the controllers, an input control component that is a function of an actual value to calculate the correcting variables.

Accordingly, Vos et al. do not identically disclose, or even suggest, all of the features included in claims 21, 27, and 32. As such, it is respectfully submitted that Vos et al. do not anticipate claims 21, 27, and 32.

As for claims 22 to 24, which ultimately depend from claim 21 and therefore include all of the features included in claim 21, and claims 28 and 29, which depend from claim 27 and therefore include all of the features included in claim 27, it is respectfully submitted that Vos et al. do not anticipate these dependent claims for at least the same reasons more fully set forth above.

In view of all the foregoing, withdrawal of this rejection is respectfully requested.

V. Rejection of Claims 25, 26, 30, and 31 Under 35 U.S.C. § 103(a)

Claims 25, 26, 30, and 31 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Vos et al. and U.S. Patent No. 5,951,608 ("Osder"). It is respectfully submitted that the combination of Vos et al. and Osder does not render unpatentable the presently pending claims for at least the following reasons.

Claims 25 and 26 ultimately depend from claim 21, and claims 30 and 31 ultimately depend from claim 27. As more fully set forth above, Vos et al. do not disclose, or even suggest, all of the features included in claims 21 and 27. Osder also does not disclose, or even suggest, all of the features included in claims 21 and 27, and thus, fails to cure this critical deficiency.

Accordingly, it is respectfully submitted that the combination of Vos et al. and Osder does not disclose, or even suggest, all of the features included in

claims 21 and 27, from which claims 25, 26, 30, and 31 ultimately depend. As such, it is respectfully submitted that the combination of Vos et al. and Osder does not render unpatentable claims 25, 26, 30, and 31, which ultimately depend from claims 21 and 27.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

VI. Rejection of Claim 33 Under 35 U.S.C. § 103(a)

Claim 33 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Vos et al. and U.S. Patent No. 6,856,039 ("Mikhail et al."). It is respectfully submitted that the combination of Vos et al. and Mikhail et al. does not render unpatentable the present claim for at least the following reasons.

Claim 33 depends from claim 32. As more fully set forth above, Vos et al. do not disclose, or even suggest, all of the features included in claim 32. Mikhail et al. also do not disclose, or even suggest, all of the features included in claim 32, and thus, fail to cure this critical deficiency.

Accordingly, it is respectfully submitted that the combination of Vos et al. and Mikhail et al. does not disclose, or even suggest, all of the features included in claim 32, from which claim 33 depends. As such, it is respectfully submitted that the combination of Vos et al. and Mikhail et al. does not render unpatentable claim 33, which depends from claim 32.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

VII. Rejection of Claims 34 to 36 Under 35 U.S.C. § 103(a)

Claims 34 to 36 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Vos et al., Mikhail et al., and Osder. It is respectfully submitted that the combination of Vos et al., Mikhail et al., and Osder does not render unpatentable the present claims for at least the following reasons.

Claims 34 to 36 ultimately depend from claim 32. As more fully set forth above, Vos et al. do not disclose, or even suggest, all of the features included in claim 32. Also, as more fully set forth above, Mikhail et al. and Osder also disclose, or even suggest, all of the features included in claim 32, and thus, fail to cure this critical deficiency.

Accordingly, it is respectfully submitted that the combination of Vos et al., Mikhail et al., and Osder does not disclose, or even suggest, all of the features included in claim 32, from which claims 34 to 36 ultimately depend. As such, it is respectfully submitted that the combination of Vos et al., Mikhail et al., and Osder does not render unpatentable claims 34 to 36, which ultimately depend from claim 32.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

VIII. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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By: /Clifford A. Ulrich/
Clifford A. Ulrich (Reg. No. 42,194)

KENYON & KENYON LLP
One Broadway
New York, New York 10004
(212) 425-7200
CUSTOMER NO. 26646